

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-3 (Canceled).

Claim 4 (Currently Amended): A communication apparatus comprising:

an IQ multiplexing unit for multiplexing a plurality of data channels and a control channel at an I side and a Q side to generate a complex signal;

a transmitting unit for modulating and transmitting the complex signal generated by the IQ multiplexing unit; and

a controlling unit for controlling assignment of channelization codes for a data channel and a control channel at the I side and the Q side multiplexed by the IQ multiplexing unit[[:]],

wherein the controlling unit comprises:

a code assigning unit by factor for, based on a size of a factor that is multiplied to the data channel and the control channel by the IQ multiplexing unit, assigning a first channelization code to a data channel of which the factor is large; and

a remaining code assigning unit for assigning a second channelization code being different from the first channelization code to a data channel to which no channelization code has been assigned by the code assigning unit by factor.

Claim 5 (Original): The communication apparatus of claim 4, wherein

the code assigning unit by factor comprises a prohibited code judging unit for, when a second control channel is added as a control channel, judging which of the I side or the Q side of the IQ multiplexing unit the second control channel is added, and, at the I side or the Q side to which the second control channel is added, prohibiting assignment of a

channelization code that has a correlation with a channelization code to be assigned to the second control channel.

Claim 6 (Original): The communication apparatus of claim 4, wherein:

the factor is a gain factor; and

the controlling unit, when a number of data channels multiplexed by the IQ multiplexing unit is five, among three data channels at the I side of the IQ multiplexing unit, assigns $C_{4,2}$ and $C_{4,3}$ respectively as channelization codes to two data channels having largest gain factors and assigns either $C_{4,1}$ or $C_{4,0}$ to a remaining one data channel.

Claim 7 (Original): The communication apparatus of claim 4, wherein:

the factor is a gain factor; and

the controlling unit, when a number of data channels multiplexed by the IQ multiplexing unit is six, among three data channels at the I side of the IQ multiplexing unit, assigns $C_{4,2}$ and $C_{4,3}$ respectively as channelization codes to two data channels having largest gain factors and assigns $C_{4,1}$ to a remaining one data channel, and among three data channels at the Q side of the IQ multiplexing unit, assigns $C_{4,2}$ and $C_{4,3}$ respectively as channelization codes to two data channels having largest gain factors and assigns either $C_{4,1}$ or $C_{4,0}$ to a remaining one data channel.

Claim 8 (Original): The communication apparatus of claim 4, wherein

the controlling unit controls assignment of channelization code $C_{SF,k}$ of which a spreading factor is SF and a code number is k, assigns a channelization code of which the code number k is $0 \leq k \leq (SF/2-1)$ as the first channelization code, and assigns a

channelization code of which the code number k is $(SF/2) \leq k \leq (SF-1)$ as the second channelization code.

Claim 9 (Original): The communication apparatus of claim 4, wherein
the controlling unit controls assignment of channelization code $C_{SF,k}$ of which a spreading factor is SF and a code number is k , assigns a channelization code of which the code number k is $0 \leq k \leq (SF/2-1)$ as the second channelization code, and assigns a channelization code of which the code number k is $(SF/2) \leq k \leq (SF-1)$ as the first channelization code.

Claim 10 (Original): The communication apparatus of claim 8, wherein
the controlling unit, in case of assigning channelization codes to a data channel of which the spreading factor SF is 2 and to a data channel of which the spreading factor SF is 4, assigns $C_{2,0}$ to the data channel of which the spreading factor SF is 2 as the first channelization code and assigns $C_{4,0}$ or $C_{4,1}$ to the data channel of which the spreading factor SF is 4 as the second channelization code.

Claim 11 (Original): The communication apparatus of claim 9, wherein
the controlling unit, in case of assigning channelization codes to a data channel of which the spreading factor SF is 2 and to a data channel of which the spreading factor is 4, assigns $C_{2,1}$ to the data channel of which the spreading factor SF is 2 as the first channelization code and assigns $C_{4,0}$ or $C_{4,1}$ to the data channel of which the spreading factor SF is 4 as the second channelization code.

Claim 12-16 (Canceled).

Claim 17 (Currently Amended): A communication method comprising:

IQ multiplexing a plurality of data channels and a control channel at an I side and a Q side to generate a complex signal;

modulating and transmitting the complex signal generated by the IQ multiplexing step; and

controlling assignment of channelization codes for a data channel and a control channel at the I side and the Q side multiplexed by the IQ multiplexing step;

wherein the controlling [[step]] comprises:

based on a size of a factor that is multiplied to the data channel and the control channel by the IQ multiplexing [[step]], assigning a first channelization code to a data channel of which the factor is large; and

assigning a second channelization code being different from the first channelization code to a data channel to which no channelization code has been assigned by the assigning of the first channelization code.

Claim 18 (Canceled).